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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

(Rationalised Report according to the Notice of the President of the EPO published in the OJ11/2001)

Applicant's or agent's file reference			1				
LEA36266-WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/4)						
International application No.	International filing date (day)	nonth/year)	Priority date (day month year)				
PCT/EP03/09527	28/08/2003	·	10/09/2002				
International Patent Classification (IPC) or	r national classification and IPC						
C07D239/40							
Applicant							
BAYER AKTIENGESELLSCHAFT	et al.						
This international preliminary example Authority and is transmitted to the Authority and is transmitted.	mination report has been prepare e applicant according to Article 30	d by this Internal	tional Preliminary Examining				
2. This REPORT consists of a total of sheets, including this cover sheet.							
This report is also accompanionen amended and are the bacter (see Rule 70.16 and Section 6	ied by ANNEXES, i.e., sheets of sis for this report and/or sheets of the Administrative Instruct	of the description, ontaining rectific ions under the Po	, claims and/or drawings which have ations made before this Authority CT).				
These annexes consists of a total of sheets.							
3. This report contains indications relating to the following items:							
I X Basis of the report							
II Priority							
III X Non-establishment of opinion with regard to novelty, inventive step and industrial applicability							
IV Lack of unity of invention							
V X Reasoned statement under Article 35(2) with regard to povelty investigations.							
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VI Certain documents cited							
VII Certain defects in the international application							
VIII Certain observations on	the international application	•					
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Date of submission of the demand	Date of	completion of th					
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Name and mailing address of the IPEA/		ed officer	•				
European Patent Office, Gitschine D-10969 Berlin - Germany	er Str. 103	NDEL E R J					
Tel.: (+49-30) 25901-0 Fax: (+49-30) 25901-840		9-89) 2399 2828	So by ewets . E.				
orm PCT/IPEA/409 (cover sheet) P20476 (Oc	ctober 2002)	·	Office europes				
			סיוונפ סייי				

I. Basis of the report

The basis of this international preliminary examination is the application as originally filed.

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The question of whether the claimed invention appears to be novel, to involve an inventive step, or to be industrially applicable has not been the subject of the international preliminary examination in respect of the claims which have not been searched (Article 17(2)(a) or (3) and Rule 66.1(e) PCT); see also international search report).

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability

To the extent that the international preliminary examination has been carried out (see item III above), the following is pointed out:

In light of the documents cited in the international search report, it is considered that the invention as defined in the independent claims, which have been the subject of an international search report, meets the criteria mentioned in Article 33(1) PCT, i.e. appears to be novel, to involve an inventive step and to be industrially applicable.